S.B.Cr.Misc. Bail App. No. 5501/2007
(Barkat Khan & Anr. Vs. State of Rajasthan)

Date of order : 19/11/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. Suresh Kumbhat for the petitioners.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioners and the Public Prosecutor for the State. Perused the order impugned and police investigation diary. I have carefully gone through the statement of injured Samandar Khan and Ayub Khan as also their injury report.

It is contended by learned counsel for the petitioners that the injuries are simple in nature by blunt object and on non vital part so far as injured Ayub Khan is concerned and injured Samandar Khan alleged to have suffered an abrasion on skull but simple in nature by blunt which has not been assigned to the present petitioners. The petitioner No.2 Nabbu Khan is aged about 75 years and counsel for the petitioners has shown the Pass-port and other document showing his age above 70 years.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, without commenting on the merit of the case, I think it just and proper to enlarge the accused petitioners on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioners Barkat Khan S/o Shri Nabbu Khan and Nabbu Khan S/o Lakhe Khan be released on bail in CR No. 195/2007 P.S. Sadar, district, Pali provided each of them executes a personal bond for a sum of Rs. 20,000/- with two sound and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for their appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP